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GOVERNMENT GAZETTE

BOLETIM OFICIAL

Government Press

Notice

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GOVERNMENT OF GOA, DAMAN AND DIU

Special Department

Notification

OSD/RRVS/43/66

In exercise of the powers conferred by proviso to article 309 of the Constitution, read with the Government of India, Ministry of External Affairs letter no. F.7(11)/62-Goa, dated the 25th July, 1963 and Ministry of Home Affairs letter no. F.1/29/68-GP dated 29th January, 1968, the Administrator of Goa, Daman and Diu is pleased to make the following rules for determining the seniority inter-se of officers of the Goa Government, namely:—

1. Short title, commencement and application. —

(1) These Rules may be called the Goa Government (Seniority) Rules, 1967.

(2) They will come into effect from the date of the Notification.

(3) They shall apply to all Class I, Class II, Class III and Class IV Officers of the Government of Goa, Daman and Diu, except —

- Officers in respect of whom special provision is made by or under any law for the time being in force, in regard to the matters covered by these rules; and
- Officers who are on deputation from the Central Government or from any State Government/Union Territory.

2. Definitions — In these rules, unless the context otherwise requires. — 1. "competent authority" means the Administrator and includes any other officer empowered by the Administrator in writing to exercise any of the powers of the competent authority under these rules; and

2. "grade" means a post or a group of posts created for work of the same nature in a department or office.

Provided that where posts have been created for work of the same nature in different departments or offices, the competent authority may, by order, declare any or all such posts to be in a single grade for the purposes of these rules.

3. Seniority of persons appointed before the reinforcement of these rules. — Subject to the provisions of rule 4, persons appointed in a substantive or officiating capacity to a grade prior to the enforcement of these rules shall retain the relative seniority already assigned to them or such seniority as may hereafter be assigned to them under the existing orders applicable to their cases and shall en block be senior to all others in that grade.

Explanation. — For purposes of these rules (a) persons who are confirmed retrospectively with effect from a date earlier than the enforcement of these rules, and (b) persons who are appointed on probation to a permanent post substantively vacant in a grade prior to the enforcement of these rules shall be considered to be permanent officers of the grade.

4. Permanent officers to rank senior to officiating officers. — Subject to the provisions of rule 5, per-

manent officers of each grade shall rank senior to officers who are officiating in that grade.

5. Direct recruits.—Notwithstanding the provisions of rule 4, *the relative seniority of all direct recruits shall be determined by the order of merit in which they are selected for such appointment, on the recommendations of the Union Public Service Commission or other selection authority*, persons appointed as a result of earlier selection being senior to those appointed as a result of a subsequent selection.

Provided that where persons recruited initially on a temporary basis are confirmed subsequently in an order different from the order of merit indicated at the time of their appointment, seniority shall follow the order of confirmation and not the original order of merit.

6. Promotees.—(i) The relative seniority of persons promoted to the various grades shall be determined in the order of their selection for such promotion.

Provided that where persons promoted initially on a temporary basis are confirmed subsequently in an order different from the order of merit indicated at the time of promotion, seniority shall follow the order of confirmation and not the original order of merit.

(ii) Where promotions to a grade are made from more than one grade, the eligible persons shall be arranged in separate lists in the order of their relative seniority in their respective grades and the selecting authority shall select persons for promotion from each list upto the prescribed percentage, if any, and arrange all the candidates selected from different lists in a consolidated order of merit which will determine the seniority of the persons on promotion to the higher grade.

Explanation.—Where promotions are made on the basis of selection by a selecting authority, the seniority of such promotees shall be in the order of merit in which they were recommended for such promotion by the authority. Where promotions are made on the basis of seniority subject to the rejection of the unfit, the seniority of persons considered fit for promotion at the same time shall be the same as the relative seniority in the lower grade from which they are promoted. Where, however, a person is considered as unfit for promotion and is superseded by a junior, such persons shall not, if he is subsequently found suitable and promoted, take seniority in the higher grade over a junior who had superseded him.

Illustration.—Where 75% of the vacancies in the grade of Head Clerk are reserved for promotion from the grade of Upper Division Clerk and 25% from the grade of Store-keepers, the eligible Upper Division Clerks and Store-keepers shall be arranged in the separate lists with reference to their relative seniority in those grades. The selecting authority will make selection of three candidates from the list of U.D.C.s and one from the list of Store-keepers. Thereafter the selected person from each list shall be arranged in a single list in a consolidated order of merit assessed by the selecting authority, which will determine the seniority of the persons on promotion to the higher grade.

7. Relative seniority of direct recruits and promotees.—The relative seniority of direct recruits and of promotees shall be determined according to the rotation of vacancies between direct recruits and promotees which shall be based on the percentage of vacancies reserved for direct recruitment and promotion respectively in the recruitment rules.

Note (1) A register should be maintained based on the reservation of vacancies for direct recruitment and for promotion in the Recruitment rules. Where 75% of the vacancies are reserved for promotion and 25% for direct recruitment, each direct recruit shall be ranked in seniority below three promotees. Where the percentage is 50% each, every direct recruit shall be ranked below a promotee and the roster shall run as follows:—

1. Promotion,
2. Direct recruitment,
3. Promotion,
4. Direct Recruitment, and so on.

Appointment shall be made in accordance with this roster and seniority determined accordingly. If for any reason a direct recruit or a promotee ceases to hold the appointments in the grade, the seniority list shall not be re-arranged merely for the purpose of ensuring the proportion concerned.

Note (2) A promotee shall not necessarily be placed over a direct recruit. The relative seniority of a departmental promotee vis-a-vis a direct recruit depends on the starting point in the roster as determined by the appointing authority. If the first point in the roster starts with a direct recruit, the relative order of seniority against the departmental promotees and direct recruits will be, first direct recruit followed by a departmental promotee and vice versa.

8. Transferees.—(i) The relative seniority of persons appointed by transfer to the various grades from offices of the Central Government or State Governments/Union Administrations shall be determined in accordance with the order of their Selection for such transfer, provided that, if transferees have also competed with Direct recruits, the provisions of Rule 5 will apply to them.

(ii) Where such transfers are effected against specific quotas in the recruitment rules therefor, the relative seniority of such transferees vis-a-vis direct recruits and promotees shall be determined according to rotation of vacancies which shall be based on the quotas reserved for transfer/direct recruitment and promotion respectively in the recruitment rules.

(iii) Where a person is appointed by transfer in accordance with a provision in the recruitment rules providing for such transfer in the event of non-availability of a suitable candidate by direct recruitment or promotion, such transfers shall be grouped with direct recruits or promotees, as the case may be, for the purpose of rule 7. He shall be ranked below all direct recruits or promotees, as the case may be, selected on the same occasion.

9. Regulation of seniority of officers selected for appointment to different posts in the same grade requiring different qualifications.—The relative seniority of persons selected for appointment to various posts in the same grade requiring different qualifications (e.g. posts of Asst. Lecturer in History, Economics, Physics, Chemistry, etc.) shall be

determined by the consolidated order of merit drawn up by the selecting authority which shall invariably be asked by the department concerned while sending their requisitions for recruitment to such posts, to indicate such an order of merit while making selection to such posts.

The authority responsible for approving appointments by transfer shall indicate the inter-se order of seniority of selected persons.

In cases where no order of merit has been indicated by the selecting authority/authorities approving appointment by transfer, the relative seniority of direct recruits/transferees shall be determined on the basis of their length of service in the next lower grade. In cases of equal length of service, older in age shall rank senior to the younger one.

10. Ad-hoc appointees.— Until persons appointed on ad-hoc basis to a grade are replaced by persons approved for regular appointment by direct recruitment, promotion or transfer as the case may be, they will be shown in the order of their ad-hoc appointments and below all persons regularly appointed to the grade.

11. Regulation of seniority of certain special categories of officers.— Notwithstanding anything contained in these rules, the seniority of officers belonging to the following categories shall be regulated by the instructions contained in the Office Memorandum noted against each such category, as amended from time to time:—

(a) Ex-Govt. servants M/O Home Affairs
penalised for O.M. No. 6/4/52-STNG,
their patriotic dated 29-5-1957.
activities.

(b) Central Govt. O.M. No. 37/1/52-DGS,
Employees dis- dated 10-7-1964, No.
charged on ac- 13/4/56-RPC dated
count of afflic- 29-9-1956 and No. 13/
tion with T. B. /44/57-RPS dated
pleurisy or le- 14-7-1958.
prosy.

12. Removal of difficulties.— If any difficulty arises in giving effect to the provisions of these rules, the competent authority, may by order, as occasion requires, do anything which appears to it to be necessary for the purpose of removing the difficulty.

13. Interpretation.— If any question arises relating to the interpretation of these rules, the matter shall be referred to the competent authority whose decision thereon shall be final.

G. K. Bhanot

Chief Secretary

Panaji, 21st February, 1969.

2nd Phalguna, 1890.

Notification

OSD/RRVS/50/67

In exercise of the powers conferred by the proviso to Article 309 of the Constitution, read with the Government of India, Ministry of External Affairs

letter No. F.7(11)/62-Goa dated 25th July, 1963, the Administrator of Goa, Daman and Diu is pleased to make the following rules amending the Goa Government Civil Registrar-cum-Sub-Registrar posts Recruitment Rules, 1967 issued under Notification of even number dated 9th January, 1968 and published in Government Gazette Series I, No. 45 dated 8th February, 1968 namely:—

1. Short Title and Commencement:—

(i) These rules may be called the Goa Government Civil Registrar-cum-Sub-Registrar posts Recruitment (First Amendment) Rules, 1969.

(ii) They shall come into force at once.

2. In the Schedule attached to the said Notification,

(a) In column 10 for the existing entry substitute: «By promotion 50% (failing which by direct recruitment) By direct recruitment 50%».

(b) In column 11 for the existing entry substitute: «Assistant Civil Registrars with 3 years service as such and Head Clerk in the Department with three years service in the grade, failing which Upper Division Clerks in the Department with five years service in the grade.

G. K. Bhanot

Chief Secretary

Panaji, 26th February, 1969.

7th Phalguna, 1890.

Corrigendum

OSD/RRVS/45/66

In the Schedule attached to the Notification of even number dated 26th October, 1968 published in Government Gazette, No 38 Series I dated 20th December, 1968, the entry appearing in column 7 should be corrected as:—

“Essential:—

i) Degree of a recognised University or equivalent.

ii) Adequate experience of Jail Administration or in running remand home or other similar experience.

(Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified).

Desirable:—

A pass Certificate in Correctional Administration from the Tata Institute of Social Science Bombay or Lucknow Jails Training School or equivalent”.

D. V. Sawant, Under Secretary (Appointments).

Panaji, 26th February, 1969.

7th Phalguna, 1890.

Finance Department

ORDER

F.III/11-165/Part/2668/69

In exercise of the powers conferred by clause 2 of the Goa, Daman and Diu (Administration) Removal of Difficulties Order, 1962, the Administrator of Goa, Daman and Diu hereby makes the following order so as to amend the Government Order No. Fin (Rev) /11/-165/part/209/67 dated 21st March, 1967, namely:—

- 1) The Government Order No. Fin (Rev) /11-165 /part/1303/68 dated the 11th November, 1968 shall be revoked.
- 2) Para 8 of the Government Notification No. Fin (Rev) /11-165/part/209/67 dated 21st March, 1967 shall be re-numbered as para 6 and thereafter the following proviso shall be inserted, namely:

«Provided that all Lease Agreements of Urban Properties which are not liable for registration may be attested by two witnesses as per the provisions of Section 3 of Transfer of Property Act, 1882 as extended to the Union Territory of Goa, Daman and Diu and such Agreements need not be attested by Notary Public».

Nakul Sen

Administrator of Goa, Daman and Diu
Panaji, 6th February, 1969.
Saka 17th Magha, 1890.

Law and Judicial Department

Corrigendum

LD/2-42-68/N-100-69

In the Goa, Daman and Diu Excise Duty (Amendment) Act, 1968 published under Government Notification no. LD/N/2/42/68-69-78 dated 7-1-1969 in the Government Gazette Series I number 42 dated 16-1-1969 for the words and figures «The Goa, Daman and Diu Excise Duty (Amendment) Act, 1969» wherever they occur, the words and figures «The Goa, Daman and Diu Excise Duty (Amendment) Act, 1968» shall be substituted, and for the words and figures «(Act no. 1 of 1969)» the words and figures «(Act no. 14 of 1968)» shall be substituted.

V. R. Vaze, Under Secretary (Law).

Panaji, 1st March, 1969.

10 Phalguna, 1890.

Food and Civil Supplies Department

ORDER

3-7/68-69/FCS-CS

In exercise of the powers conferred by Section 3 of the Essential Commodities Act 1955 (10 of 1955) as extended to the Union Territory of Goa, Daman and

Diu read with the Notification of the Government of India in the Ministry of Food, Agriculture, Community Development and Cooperation (Department of Food) no. GSR. 1111 dated the 24th July, 1967 and with prior concurrence of the Central Government, the Lieutenant Governor of Goa, Daman and Diu hereby makes the following Order further to amend the Goa, Daman and Diu Foodgrains Dealers Licensing Order, 1964, published in the Goa Gazette (Supplement) no. 20 Series I, dated 15th May, 1964, namely:—

1. This Order may be called the Goa, Daman and Diu, Foodgrains Dealers Licensing (Amendment) Order 1969.

2. In the Goa, Daman and Diu Foodgrains Dealers Licensing Order 1964 in form «C» under Schedule II relating to return of stocks, receipts and sales of foodgrains every fortnight the items 2(b), 3(c) and (5) as well as the condition (2) of the existing Note below item 5 thereof shall be deleted.

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

V. H. Sakalkar, Under Secretary (Planning).

Panaji, 17th February, 1969.

28 Magha, 1890.

Notification

7-7/68-69/FCS-CS

In exercise of the powers conferred by clause 10 of the Cement Control Order 1967, the Lieutenant Governor of Goa, Daman and Diu, hereby directs that no dealer (whether wholesale or retail) in the zones as specified in column no. 2 of the schedule appended hereto, shall sell cement at a rate exceeding the maximum price as shown in the corresponding entry of column nos. 3 & 4 of the said schedule, with effect from 2nd February 1969. The prices shown in column no. 3 & 4 of the schedule appended hereto, are exclusive of local taxes.

SCHEDULE

Sr. No.	Name of the Zone	Rs. per metric ton	Rs. per bag
		Ex-godown	of 50 K. G.
1	2	3	4
		Rs.	Rs.
1.	Zone I (comprising of Vasco, Margao, Quepem, Sanguem & Ponda Talukas).	200-00	10-00
2.	Zone II (comprising of Panaji Taluka).	208-00	10-40
3.	Zone III (comprising of Mapusa, Bicholim & Satari Talukas).	216-00	10-80
4.	Zone VI (comprising of Pernem Taluka).	222-00	11-10

By order and in the name of the Administrator of Goa, Daman and Diu.

V. H. Sakalkar, Under Secretary (Planning).

Panaji, 22nd February, 1969.

3 Phalguna, 1890.